REGISTER OF CLASSIFICATION DECISIONS

Title of Publication:	JARED08.jpg
Other Known Title:	Not Stated
Medium:	Computer Image File
Director/Author:	Not Applicable
Producer/Publisher:	Not Applicable
Country of Origin:	Not Stated
Language:	Not Applicable
Applicant:	Commissioner of Police
Distributor:	Not Applicable
Classification:	Objectionable.
Descriptive Note:	Not Applicable
Display Conditions:	Not Applicable
Date of entry in Register:	17 October 2008
Date of direction to issue a label:	Not Applicable
OFLC No:	801644
Excisions:	Not Applicable

Reasons for excisions:

Not Applicable

Summary of reasons for classification:

The computer image file *JARED08.jpg* is classified as: Objectionable.

The publication is a computer image file that promotes and supports the exploitation of children for sexual purposes and is therefore deemed objectionable. It depicts an adult male engaged in sexual activity with a pre-pubescent child, and as such is photographic evidence of the abuse of a child. The publication is clearly intended to be sexually arousing to persons with a prurient interest in children. As a computer image file the publication is able to be electronically transmitted, or printed out, and widely distributed or traded among like-minded individuals. The publication encourages the viewer to see children as sexually desirable and legitimate sexual partners.

The classification of this publication interferes with the freedom of expression, as set out in section 14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.